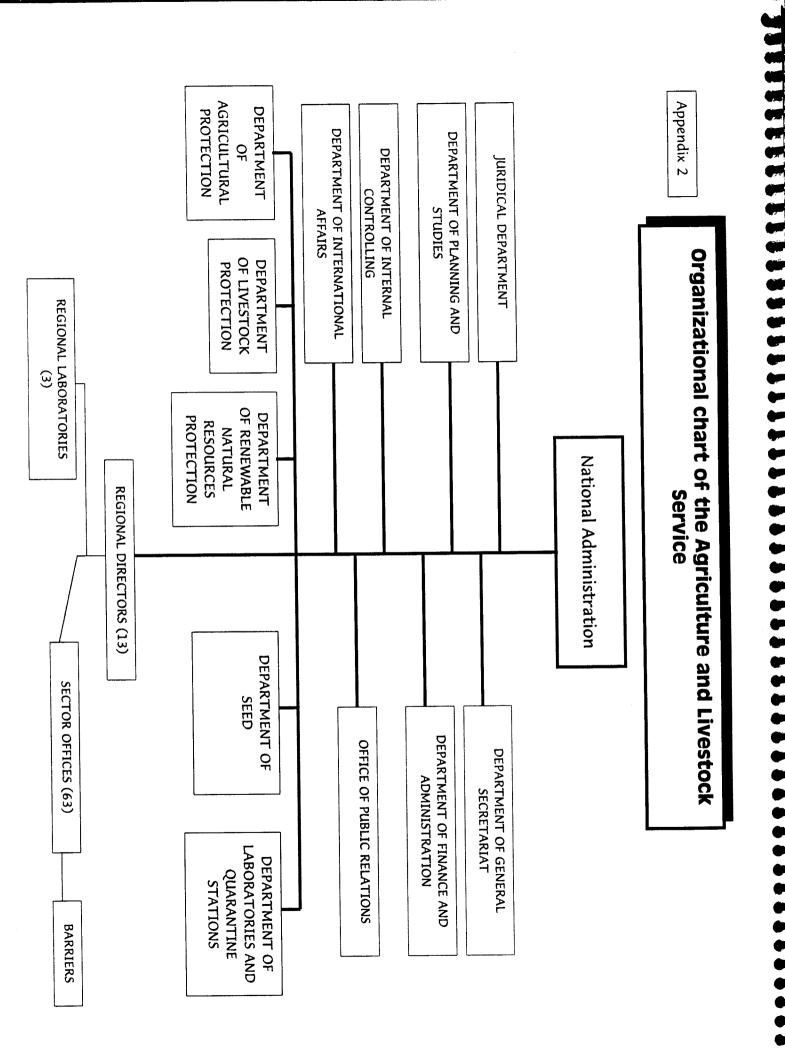
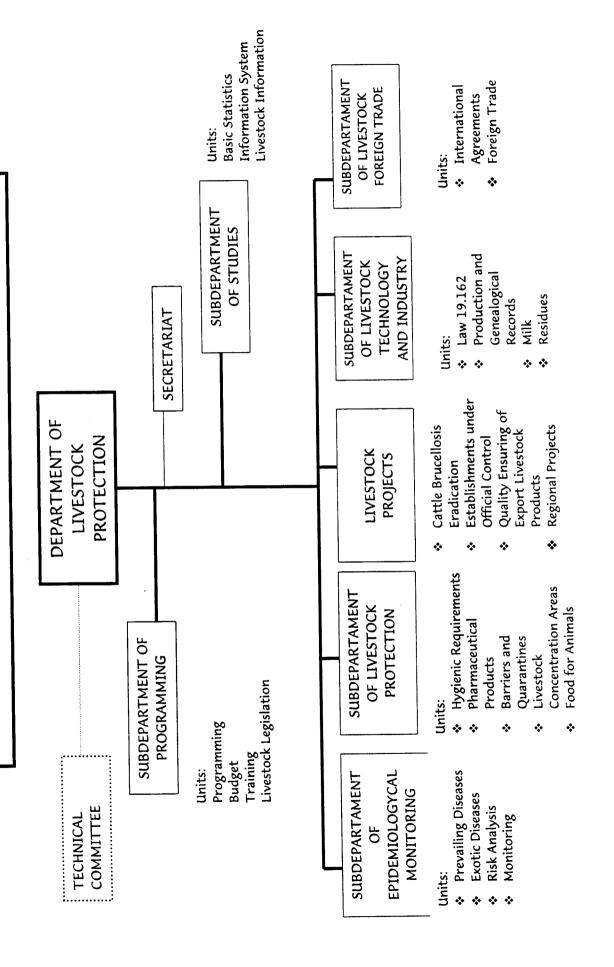
### Appendix 1





# ORGANIZATION CHART OF DEPARTMENT OF LIVESTOCK PROTECTION



# DECREE LAW Nr.R.R.A 16, of 1963 (Agrarian Reform Regulations)

Establishes the text of the legal provisions concerning Livestock Salubrity and Protection, System of Livestock Brands and Documents for the Free Transit of Livestock.

(Published in "Official Gazette" Nr. 25.488, of March 9. 1963).

N° .R.R.A .16, Santiago, February 19, 1963.- WHEREAS: the powers conferred upon me by Article 47 of Law 15.020 of November 27, 1962, on Agrarian Reform, to revise, update and harmonize the legal provisions in force on Livestock Protection and Salubrity, System of Livestock Brands, and Documentation for the Free Transit of Livestock, and the provisions in articles 50 and 53 of said Law,

### I HEREBY DECREE:

The text of legal provisions in force concerning Livestock Protection and Salubrity, System of Livestock Brands and Documentation for Free Transit of Livestock, shall be the following:

### TITLE ONE

### On Livestock Protection and Salubrity

Article 1. For the purposes of the present Title, the infectocontagious diseases of livestock, determined by the President of the Republic with prior report of the Ministry of Agriculture, shall be subject to sanitation measures.

Regulations will determine the diseases referred to in the previous clause and the way in which sanitary measures will be applied in the case of each one of them.

Article 2. Bullfighting is perpetually abolished within the territory of Chile, in both centers of population and in the countryside.

Article 2 bis. The Agricultural and Livestock Service shall establish the registers of production of meat, milk, wool, hair, eggs and other animal products it may consider necessary for the different animal species and races, and will establish the norms to rule said registers.

The Agricultural and Livestock service shall watch over the fulfillment of said norms, enabled, besides, to carry the production registers of the species it should consider convenient. (1)

Article 3. In order to intern animals, fowls, products, byproducts and remains of animal and vegetable origin included in Chapters 1 to 14 of the Customs Tariffs, it shall be necessary to fulfill the demands of sanitary order specified in each case.

Every importer of livestock must also be in possession of a certificate extended by competent authority in the country of origin, certifying their sanitary condition.

(1) Art.2 bis introduced by Art. 4, Nr.1 of Decree Law Nr.15, of 1968, of the Ministry of Finance.

As regards the products and by-products pointed out above, elaborated and/or industrialized, understanding as such those included in Chapters 15 and following of the Customs Tariffs, said norms shall be subject to demand after the withdrawal of the merchandise from the jurisdiction of Customs and before they may become object of acts of use, disposal or delivery to third parties under any title whatever." (2)

Article 4. The livestock that are brought into the country must be inspected at the corresponding Customhouse by the Veterinary Doctors of the Livestock Department of the Direction of Agriculture and Fisheries and in case they are found to be affected by a contagious disease, or are suspect of it, they shall be subjected to any of the following measures: disinfection, vaccination, injections, revealing reactions, quarantine, return, seizure or sacrifice of the livestock. Article 4 bis. It is forbidden to import animals and fowls which have hereditary defects or morphological anomalies that affect productivity, in the opinion of the veterinary doctors referred to in the previous article. In case there should arrive into the country livestock or fowls affected by some of said defects or anomalies, they shall be returned to their country of origin, or else slaughtered in the slaughterhouse determined by the corresponding Veterinary Doctor) in accordance with the convenience of the interested party. Under no circumstance shall the application of these measures be subject to indemnity of any kind, and the expenses incurred in shall be responsibility of the interested party.

In spite of this, In qualified cases, the entry of animals and fowls that do not fulfill the demands of clause 1 may be authorized, provided they are sent to be slaughtered in the nearest slaughterhouse (3).

Article 5. The President of the Republic may order, through decree issued by the Ministry of Agriculture, the closing of land or maritime ports to the entry of livestock if it were necessary in order to adopt sanitary measures, in the opinion of the Ministry of Agriculture.

(2)
Art.3 of Decree Law RRA. Nr 16, of 1963, was substituted by Art. 2 of DL.Nr 1.674, of 1977, modified, in turn, by Decree Law Nr.42.345, of 1979. This last, in turn was replaced by the Single Art. of Decree Law Nr 19 - 2.345 of 1979, of the Ministry of the Interior.

(3) This Art. Was introduced by Nr.3 of Art.4 of Decree Law Nr

### II. Concerning the declaration

Article 6. The owner or holder of livestock affected by the contagious diseases determined by the present body of Regulations or concerning which there are suspicions, shall at once denounce the fact to the Governor of the Department and to the Head of the Department of Livestock of the Direction of the Agriculture and Fishery, keeping the livestock in isolation until said authorities adopt the measures they may consider convenient.

Article 7. Under analogous obligation are the Veterinary Doctors and Engineer Agronomists of the Ministry of Agriculture, the Veterinary Doctors acting in the free exercise of their profession, the Veterinary Doctors and Municipal Inspectors and of Slaughterhouses, members of the Army and Police and, in general, all the Heads of Public Services having to do with livestock of any kind.

### III. Concerning Sanitary Measures and Disinfection

"Article 8. The owners or holders of livestock are under the obligation of avoiding and fighting diseases through the use of the treatments and measures, and within the terms determined by the Agricultural and Livestock Service.

If said persons should not be willing or unable to carry out the treatments, or should not do so with the necessary opportunity or efficiency, the Agricultural and Livestock Service will do so, with the aid of public force if necessary, and all costs shall be covered by the owners or holders of the corresponding livestock. These last are under the obligation of facilitating the work of the officials and of cooperating in their action.

Whenever the Agricultural and Livestock Service execute the sanitary or technical measures, it shall be up to this service to determine the amount of the expenses incurred in, through a settlement that must be made known to the parties affected) by means of a registered letter.

It is understood that said settlement has been notified since the moment in which the registered letter has been deposited in the corresponding Post Office> without there being any complaint concerning the notification thus carried out.

The settlement of the Agricultural and Livestock Service determining the amount of expenses incurred in through the application of the measures carried out shall constitute executive title at the expiration of fifteen consecutive days, without there having been presented any complaint.

The persons affected may present a complaint concerning the settlement made, within fifteen consecutive days, counted since the date of its notification. The Agricultural and Livestock Service will resolve the complaint, previously fulfilling the formalities this service should consider necessary.

The decision on the complaint presented will state the amount of the expenses brought about by the measures carried out and shall constitute executive title since the moment of notification through registered mail, applying to this notification the provisions in clause 4 of this article.

Whether the settlement in the case of clause 5 of this article, is executed, or the notification of the decision pointed out in the previous clause, there will apply the provisions ruling competence and procedure in the trials on collection of monies of the Mortgage Department of the State Bank of Chile.

Nonetheless, when in the opinion of the Agricultural and Livestock Service> there is justified cause, the whole or part of the expenses incurred in to execute the sanitary or technical measures, will be paid by the Service. (4)

The decisions ordering sanitary measures shall be exempt from the formality of recording by the Office of the Comptroller General of the Republic. Said decisions shall be in force since the moment of publication in the Official Gazette, or since the later date determined in the decision itself.

However, the decisions of the Agricultural and Livestock Service ordering sanitary measures of general application destined to combat and eradicate the foot- and-mouth disease from the country shall be carried out at once, without prejudice to their later publication in the Official Gazette. (6)

- (4) Art. Replaced by Nr 4 of Decree Law Nr 15, Of 1968, of the Ministry of Agriculture. Art.1, Nr.2, and letter a) of Law Nr. 17.286 modified clause 1 of this new Article.
- (5) This clause was added by letter b) of Nr.2, Art.1, of Law Nr. 17.286.
- (6) Added to the final clause of Art.8 by Art.8 of Law Nr. 18.617.

Article 9. The measures referred to in the previous article shall be the following:

Revealing injections, isolation, seizure) preventive vaccination) disinfection of stables and elements of transport; closing down of properties while there is danger of contagion; disinfection and momentary suspension or closing down of fairs or markets; disinfection of railway cars; prohibition of selling diseased animals or under suspicion; declaration of one or more zones affected by infection and transit regulations within the same zones, and slaughter of diseased animals.

Article 9 bis. The Agricultural and Livestock Service is hereby empowered to order the elimination of reproducers, both male and female, of the different species and races existent in the country, which should present hereditary defects, morphological anomalies or irrecoverable sanitary condition affecting their productivity or that of their descendants.

The Agricultural and Livestock Service shall have the same faculties as regards the eggs and preserved semen proceeding from livestock affected by the defects, anomalies or sanitary condition referred to in the previous clause.

The Regulations approved by the President of the Republic will determine the conditions, requirements and procedures covering the application of this measure. (7)

Article 10. Cattle drovers transport Enterprises a, d particularly private and State Railways) are obliged to disinfect within the next twenty-four hours, every vehicle that may have served to transport livestock) and they may not use them without fulfilling this requirement. Cattle fairs are under the obligation of periodically disinfecting their premises.

Article 11. Regulations will determine the condition of maintanment and disinfection of premises fairs and transport Enterprises, and likewise the elements they must have to carry out these disinfections.

Article 12. The Director of Agriculture and Fishery, Zonal and Provincial Agronomist Engineers of the Ministry of Agriculture, the Head of the Livestock Department and the Veterinary Doctors in said Department that must carry out labors related with the norms provided for in the present Title or its Regulations, shall have free access to properties, fairs, slaughterhouses> stables, and in general to any place in which there may have been or where cattle are held, empowered, in' case of need, to require the aid of the public force to fulfill their duties.

(7) This Art. Was added by Nr.5 of Art.4 of Decree Law Nr.15, of 1968, of the Ministry of Agriculture.

"Article 12 bis. The President of the Republic, through supreme decree issued by the Ministry of Agriculture) may total or partially forbid or limit the slaughter of animals and fowls of any species.

All those who should Infringe any of the provisions issued by the President of the Republic by virtue of the present article, shall be penalized with a fine equivalent to the value of up to ten yearly living salaries of private employees of industry and commerce of the department of Santiago. Without prejudice to the application of

this fine, the Agriculture and Livestock Service will seize the products and by-products proceeding from the slaughter carried out contravening said dispositions.

The application and collection of the fines referred to in the previous clause 3 shall adjust in everything to the procedure established by the Agricultural and Livestock Service in Art. 236 of Law Nr. 16.640."

The funds collected though sales carried out by the Agriculture and Livestock Service of products and by-products, which have been seized, will form part of its patrimony.

In case the infraction of the dispositions issued by the President of the Republic is committed in private slaughterhouses, the fine referred to in clause two of this article shall be applied to the persons exploiting them.

If the infraction were committed in slaughterhouses administered by the State, Municipalities> or Enterprises or autonomous State organizations> the officials or employees who should turn out to be responsible, shall be penalized with suspension of their employment, without salary, which may fluctuate between thirty days and three months; however, the corresponding Service may apply any other more severe disciplinary measure> taking into account the gravity of the infraction. In case of second offense, said officials or employees shall be separated from the Service.

The application of these penalties shall be adjusted to the norms ruling the corresponding Service in matters of disciplinary measures (8).

# IV. Concerning Penalties and their Application

Animals under suspicion of disease> that should not denounce the fact as specified in article 6 of this decree and who do not maintain them in isolation until their denunciation is answered, are liable to be penalized with a fine of up to 10 monthly living salaries. (9)

(8) This Art. Was introduced by Nr.6 of Art.4 of Decree Law Nr.15, of 1968, of the Ministry of Agriculture and modified in the way indicated by LD W.263, of 1974. (9) and (10) Modified in the way indicated by letter c) of W.2 of Art. 1 of Law Nr. 17286.

Article 14. The owners or holders of livestock who do not carry out any of the sanitary measures that may have been ordered, in accordance with the provisions in Article 6, shall be penalized with a. of fine of up to 10 monthly living salaries. (10)

Article 15. The Enterprises or fairs that do not carry out the disinfections referred to in Article 10, and in the way provided for in the corresponding Regulations) shall be penalized with a fine equivalent to the value of one to three monthly living salaries, without prejudice to the measures that the President of the Republic may issue, of forbidding the transport or sale of the livestock.

Article 16. Any person who should contravene any of the provisions in the Regulations, or who opposes their fulfillment, shall be penalized with a fine of up to three yearly living salaries. (11)"

Article 17. The infractions may be denounced by the officials of the Direction of Agriculture and Fishery, of the Corporation for Agrarian Reform, or Institute of Agricultural Development and> in general, by any person, directly or else through the Police.

Article 18. In the cases of Arts. 13, 14, 15 and 16, the Governors of the corresponding Departments shall be competent to take cognizance of such matters and, in the province of Santiago, the Director of Agriculture and Fishery. It will suffice for them to act to receive the denunciations presented to them in accordance with what is established in Article 17.

Article 19. Both the Governors and the Director of Agriculture and Fishery, in his case, must decide upon the denunciations formulated to them, holding a previous audience with the accused.

The decision of the above-mentioned authorities shall be served upon the defendant by means of a registered letter.

Article 20. The offender who pays a fine imposed by a Governor or by the Director of Agriculture and Fishery> in his case) may present a complaint concerning it to the Judge of the Higher Civil Court of the corresponding Department> within ten days after the sending of the registered letter that notifies the decision of the administrative authority.

# (11) Article substituted by letter d) of Nr.2 of Law Nr. 17,286.

Article 21. The complaint referred to in the previous article shall be expedited in accordance with summary proceeding. It will be obligatory to request a report from the authority that applied the fine.

The Attorney State Procurator will act as a party in the trial, and in his absence, the Secretary of the corresponding Governor's Office.

Article 22. If the offender should not pay the fine within ten days after the notification carried out in the manner provided for in clause 2 of article 19, the Secretary of the Governor's Office or the corresponding attorney State Procurator, acting as party representing the State, may request the Judge of the Higher Civil Court of the corresponding Department to give the debtor legal warning of up to 30 days of arrest> and if he does not settle his debt, he may present a complaint against the defendant in executory process. In this last case, the Judge will issue an order of execution and attachment on the merits of the certified copy of the decision that imposed the fine. No other exceptions will be admitted, apart from payment or prescription.

If the offender should justify in Court a lack of necessary means to pay the fine, the suit for collection way is suspended.

Article 23. In both the administrative and judicial procedures, the proof will be appreciated in conscience.

The matters involved in the cases of the preceding articles shall be expedited in unstamped paper.

Article 24. The product of the fines applied in accordance with the present Title will become part of the patrimony of the Institute for Agrarian Development.

### SECOND TITLE

# Concerning the brands of horses and cattle

Article 25. In the Municipal Treasuries of the Republic there will be a public register of the brands of equines and bovines, ovines, caprines and porcines. (12)

Article 26. The brands shall be such that they allow knowledge of the district they belong to and the number of order corresponding to each one in the corresponding register.

(12) Art. Added by Nr. 8 of Art. 4 of Degree Law Nr. 15, of 1968, of the Ministry of Agriculture

Article 27. The petitioner will receive the corresponding brand at the moment he registers it, paying for its value and the right to register it, and certificate.

Article 28. A branded animal presumably belongs to the person who owns said brand, in accordance with the corresponding Registry.

Article 29. The counter-brand or duplicate brand likewise establishes the presumption that its owner has lost possession of the animal.

Article 30. The President of the Republic will issue the necessary regulations for the execution of the Precepts of this Title, and he will determine in them the code that will serve for the formation of the brands.

"Article 30 bis. The infraction of the precepts of this title shall be penalized with a fine of one to ten monthly living salaries of the private employees in industry and commerce of the Department of Santiago) in proportion to the number of animals branded, which contravene its precepts."(13)

### TITLE THREE

Concerning the free transit documentation of livestock

Article 31. Cattle may be transported throughout the territory of the Republic only if accompanied by the waybill established in this decree.

Article 32. The waybills shall not be necessary to transport livestock occupying public roads between pieces of land of one same owner, user or leaseholder, situated within the same district, and neither for the transport of those belonging to one person or persons whose property or contiguous properties are located in different districts or departments, provided public roads are used to take the animals from one part to another.

Article 33. The District Treasurers provided to them by the Chilean Mint, charging them to the corresponding Treasury shall issue the waybills and waybill books, bearing the seals and stamps corresponding to the tax.

(13) Art. Added by Nr.8 of Art.4 of Degree Law Nr.15, OF 1968, of the Ministry of Agriculture.

The District Treasurers who issue waybills or waybill books without the tax seals and correlative numbering established by Regulations or who do not demand the verifying documentation referred to in article 365 will be penalized with a fine equivalent to one tenth of a monthly *living* salary for every book or waybill they may have sold under such conditions.

In order to transport livestock through public road, rail by sea or air, it shall be necessary to have a waybill issued by the Treasurer of the district from where the animals set out.

Article 34. If the District Treasury should be without a head, or if the Treasurer should deny the issue of a waybill to persons having a right to them, *in* accordance

with the provisions of article 36 the interested party may appeal to the Governor, who shall issue them, previously verifying the circumstances demanded and the resistance offered by the Treasurer in his case.

The Treasurer who should unduly deny the issue of a waybill will be penalized with a fine of one twentieth to one tenth of a monthly living salary. The fine will be regulated According to the number and type of animals whose transport has been hampered.

Article 35. The proprietors, managers or employees of fairs and of private or public slaughterhouses may not auction or slaughter any animal without having before them the corresponding waybill.

The persons indicated in the previous clause are under the obligation of keeping for a period of three years, within the establishment they manage the waybills that prove the origin of the cattle that is sold or slaughtered.

Persons in charge of ferries, Railway Station Chiefs employees under them ship or airplane captains are likewise forbidden to ship animals, which are not accompanied with the corresponding waybill.

Infractions of the provisions of the present article shall be penalized with the following fines: one fifth of a monthly living salary for every bovine; one tenth of a monthly living salary for every equine, and one fifteenth of a monthly living salary for every ovine, caprine or porcine.

Article 36. The owners of fairs the proprietors or legal holders of rural estates having an official valuation, for the purposes of territorial tax, of over five yearly living salaries of private employees of industry and commerce of the department of Santiago, shall have a right to obtain waybill books, provided they certify the entries of their business and the location of their properties by means of the license, the receipt of property tax certificate of register in the Real Estate Registry or of the deed of their title.

The persons mentioned in the previous clause may, in turn, and under their responsibility, provide waybills to their employees or leaseholders or else to small proprietors temporarily working in their lands, in case they should need them for the transit of their livestock, 1, but they will be subject to the same penalties established in the last clause of this article, and to the condition of signing them and verifying by themselves or through their employees, that they are duly filled in with the requirements established by law.

Waybills may be asked for at the nearest police station by the owners) or legal holders of estates valued by the Treasury for the purposes of territorial tax, at less than five yearly living department of private employees of industry and commerce of the department of Santiago, and by any person who should need them, provided they present sufficient proof of their identity with their corresponding Identity Card, or through two witnesses) who will be subject to the same responsibilities established in the previous clause, for those who give waybills to their leaseholders.

Persons who resorting to clause 2 give out waybills, and the witnesses mentioned in clause 3, in their case> shall be responsible for the value of the livestock they refer to> if it should happen that these have been stolen.

Article 37. For the purposes of the previous article, the District Treasuries must, against receipt> deliver the waybill books requested by the police through their corresponding district commanding officer> these last being obliged to render a monthly account of the sums received in exchange for the waybills they have given out.

Article 38. Every waybill issued under the conditions indicated in this decree must be countersigned by the first police post or couple of policemen met on the road followed by the livestock after leaving the estate from where they set out.

There is an exception made in the case of waybills corresponding to shipments fairs make of animals, which have been taken to those establishments.

Article 39. The waybills shall include:

The name of the owner of the cattle; name of the person, fair or establishment to which it is being sent; the drawing of the owner's brand; the species, sex and number of animals, and the signature of the proprietor of the animals or of the Administrator of the estate, fair or establishment of origin.

As regards the animals bought at fairs or sales establishments, the waybills shall specify the brand under which they have been sold, if their new owner has not counterbranded them.

Article 40. Every waybill must be taxed in accordance with the laws in force.

Article 41. With the exception of the cases indicated in article 32, cattle drovers who lead the livestock along public roads, railway or boat. Through rivers, sea and air, must carry with them the corresponding waybill to be delivered to the consignee.

Any person driving livestock along public roads, or who should send them to fairs or slaughterhouses for the purposes of sale or slaughter without the corresponding waybill) or if it should not fulfill the requirements established in article 39) will be penalized with a fine of one fifteenth of the monthly living salary for every bovine or

squire, and one twenty-fifth of a monthly living salary for every ovine, caprine or porcine he drives under such conditions and he will be presumed to be the author of the offense of larceny or theft.

Article 41. Every person who certifies that animals of his property have been sold in fairs or slaughtered in slaughterhouses without carrying the corresponding waybills may charge the fair or the enlightened of the animals the price in which they have been sold and the full value obtained from their slaughter, plus 10% above said sums.

The trials carried through on the basis of the provisions *in* the previous article shall be expedited *in* accordance with summary procedure, whose norms are to be found in Title XI of Book III of the Code of Civil Procedure.

The action allowed by this article must be initiated within 90 days after the moment of the auctioning or ingress of the animal into the slaughtering establishment.